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January 18, 2007

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BY ECFS

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

Re: *Ex Parte* Notification
MM Docket No. 87-268

Dear Ms. Dortch:

Today, January 18, 2007, the enclosed letter was filed with the Secretary's office and delivered by e-mail to Commissioner Deborah Tate; Aaron Goldberger, Legal Advisor to Commissioner Tate; and the following individuals in the Media Bureau: Andrew Long, Barbara Kreisman, Clay Pendarvis and Eloise Gore. Pursuant to Section 1.1206 of the Commission's rules, we hereby submit the enclosed letter for inclusion in the above-referenced docket.

If there are any questions concerning this matter, please contact the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'John M. Burgett', written over a printed name.

John M. Burgett

NewsChannel 5

NETWORK

Stamp and Return

January 12, 2007

FILED/ACCEPTED

JAN 18 2007

Federal Communications Commission
Office of the Secretary

Marlene H. Dortch, Secretary
Federal Communications Commission
236 Massachusetts Avenue, NE, Suite 110
Washington, DC 20002

Dear Secretary Dortch,

The purpose of this letter is to make you aware of WTVF's serious concerns about our service to the people of Middle Tennessee and Southern Kentucky after the digital transition in February of 2000. WTVF, (Analog Channel 5), the CBS affiliate in Nashville, Tennessee, is currently allocated Digital Channel 56. As a result of being out of the core spectrum, our digital channel must be relocated on the date of the final transition. Management at WTVF has been well aware of this fact. We have complied with all FCC guidelines to launch our digital channel and to choose another channel in accordance with FCC rules and regulations. The selection of this final channel has major implications, not only for the viability of our business, but for the hundreds of thousands of citizens who rely on us for news, information, and entertainment every day.

As the only Nashville station assigned a digital station outside of the core, it is our misfortune to incur large capital outlays to move to another channel. We understand this, and have done everything in our ability to make a wise decision in selecting another channel. Given our limited choices for our final digital home, we have used our best judgment in selecting to move to Digital Channel 5. However, this judgment has always been based on an assumption of receiving a full power allocation of 22kW. Instead, at the eleventh hour, we received a power allocation of just 4.28kW.

FCC calculations suggest this power level is adequate to replicate our current signal, but these calculations do not consider the significant risk of interference for a low VHF channel like Digital 5 at the reduced power allotment. There are no definitive results to guarantee that our signal will be adequate in February 2009. We are firmly committed to serving ALL of our viewing area, including those citizens who rely on free over-the-air television. Disenfranchising them is not something we want to risk. As such, this letter is official record that we want and need a power allocation that gives us the ability to continue to serve our viewing public. A low VHF channel such as Digital Channel 5 is highly vulnerable to interference from a variety of sources. As such, a higher power level will enable us to ward off some of the likely disruptions to our signal.

WTVF management is aware that the FCC is not accepting requests to increase power at this time. We are selecting Digital Channel 5 under the premise that the signal will not be a competitive disadvantage to us and that we will be able to fully serve our over-the-air public with free television. As soon as the policy is established regarding how to request additional power, we will immediately file to do so. We will responsibly work with WMC-TV, Memphis, Tennessee (which has also been allotted Channel 5 for its post-transition digital operations) to make sure neither of us is causing signal issues for the other. This effort will be made to fully assure that the entire viewing public is adequately served.

While at this date we accept Channel 5 as our digital home, please be advised this is subject to an expected increase in power to meet the needs of our viewers.

Sincerely,

A handwritten signature in black ink, appearing to read "Debbie Turner", with a long horizontal flourish extending to the right.

Debbie Turner
President and General Manager

Cc: Deborah Tate, Commissioner
Aaron Goldberger, Legal Advisor
Barbara Kreisman, Division Chief/Media Bureau Video Division
Clay Pendarvis, Associate Division Chief/Media Bureau Video Division
Andrew Long, Associate Bureau Chief/Media Bureau
Eloise Gore, Assistant Bureau Chief/Media Bureau Policy Division